

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

KENNETH DULWORTH,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-05-1106-F
)	
EDWARD L. EVANS,)	
)	
Respondent.)	

ORDER

On September 28, 2005, United States Magistrate Judge Doyle W. Argo entered a Report and Recommendation, wherein he recommended that petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 be dismissed as untimely.

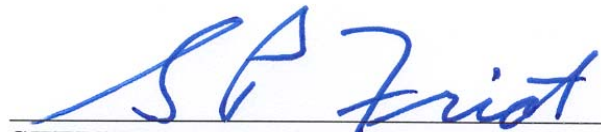
Presently before the court is petitioner's timely objection to the Report and Recommendation. The court has conducted a *de novo* review of the matter in accordance with 28 U.S.C. § 636(b)(1). Having done so, the court concurs with Magistrate Judge Argo's analysis and recommendation. The court agrees that petitioner's habeas corpus petition is time-barred. Hence, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

IT IS THEREFORE ORDERED that the Report and Recommendation issued by United States Magistrate Judge Doyle W. Argo on September 28, 2005 (doc. no. 6), is **ACCEPTED, ADOPTED** and **AFFIRMED**.

IT IS ALSO ORDERED that Petitioner, Kenneth Dulworth's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, filed September 20, 2005 (doc. no. 1), is **DISMISSED** as untimely.

IT IS FURTHER ORDERED that judgment shall issued forthwith.

ENTERED this 17th day of October, 2005.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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